



IAP15 Rec'd PCT/PTO 05 MAR 2007
PCT \$

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Nathaniel Gordon Lucas, et al.

Examiner:

Serial No.: 10/574,255

Group Art Unit:

Filed:

Date: March 1, 2007

For: MANUFACTURE OF CHOCOLATE PRODUCTS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Attn: Box Missing Parts

CERTIFICATE OF MAILING

Sir:

The undersigned hereby certifies that the attached **RESPONSE TO A NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US), EXECUTED DECLARATION, A CHECK IN THE AMOUNT OF \$65.00 FOR THE SURCHARGE FEE, AND A COPY OF THE NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)** were mailed to the Commissioner for Patents, Alexandria, VA 22313-1450, **Attention Mail Stop Missing Parts** with sufficient first-class postage, no special handling, on **March 1, 2007**, before 5:00 PM, thereby ensuring that such document(s) will be in the hands of the U.S. Postal Service by the close of business this day. Thus, timely response has been made to the outstanding Office action prior to expiration of the shortened statutory period for the same ending **04/22/07**.

The Commissioner is hereby authorized to charge any fees which might be required or credit any overpayment of fees with regard to the attached document(s) to Account No. **08-3150**.

03/06/2007 MKAYPAGH 00000100 10574255

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65.00 OP

Respectfully submitted,

HUDAK, SHUNK & FARINE CO. LPA

By: Daniel J. Hudak, Jr.
Registration No. 47,669

2020 Front Street, Suite 307
Cuyahoga Falls, OH 44221
(330) 535-2220
Attorney Docket No.: FISHER-Z-PCT-US



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**RESPONSE A NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371
IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

Sir:

In response to a Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) mailed February 22, 2007, applicant hereby encloses a Declaration signed by two inventors, a check in the amount of \$65.00 for the surcharge fee, and a copy of the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) as required.

Respectfully submitted,

HUDAK, SHUNK & FARINE CO. LPA

By: Daniel J. Hudak, Jr.
Registration No. 47,669

DJHjr/dp
2020 Front Street, Suite 307
Cuyahoga Falls, OH 44221
(330) 535-2220
Attorney Docket No.: FISHER-Z-PCT-US
C: NOTICE OF MISSING PARTS



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/574,255	Nathaniel Gordon Lucas	FISHER-Z-PCT-US

INTERNATIONAL APPLICATION NO.

PCT/AU04/01330

I.A. FILING DATE

PRIORITY DATE

09/28/2004

10/01/2003

28862

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RECEIVED

FEB 26 2007

HUDAK, SHUNK & FARINE
 CO., L.P.A.

CONFIRMATION NO. 9745

371 FORMALITIES LETTER



OC000000022588831

Date Mailed: 02/22/2007

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 03/30/2006
- Copy of the International Search Report filed on 03/30/2006
- Copy of IPE Report filed on 03/30/2006
- Copy of Annexes to the IPER filed on 03/30/2006
- Preliminary Amendments filed on 03/30/2006
- Information Disclosure Statements filed on 03/30/2006
- Oath or Declaration filed on 03/30/2006
- U.S. Basic National Fees filed on 03/30/2006
- Priority Documents filed on 03/30/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - does not identify the application to which it is directed.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$65** for a Small Entity:

- **\$65** Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://portal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

VIRGINIA L IRBY

Telephone: (703) 308-9140 EXT 229

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/574,255	PCT/AU04/01330	FISHER-Z-PCT-US